

October 2005



**District of
Columbia**

DEPARTMENT
OF
HEALTH

MARRIAGE AND FAMILY THERAPY REGULATIONS

DEPARTMENT OF HEALTH

NOTICE OF PROPOSED RULEMAKING

The Director of the Department of Health, pursuant to the authority set forth under § 302 (14) of the District of Columbia Health Occupations Revision Act of 1985 (Act), effective March 15, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14)), and Mayor's Order 98-140, dated August 20, 1998, hereby gives notice of his intent to take final rulemaking action to adopt the following amendments to Title 17 (Business, Occupations & Professions) (May 1990) of the District of Columbia Municipal Regulations (DCMR) in not less than thirty (30) days from the date of publication of this notice in the D.C. Register. The purpose of the amendment is to establish licensure and practice regulations for the profession of Marriage and Family Therapy, which was newly established pursuant to the Marriage and Family Therapy Amendment Act of 2003, effective March 10, 2004 (D.C. Law 15-88; D.C. Office Code § 3-1201.02(19)).

Title 17 (Business, Occupations & Professions) (May 1990) is amended by adding a new Chapter 51 to read as follows:

CHAPTER 51 MARRIAGE AND FAMILY THERAPY

5100 GENERAL PROVISIONS

- 5100.1 This chapter shall apply to applicants for and holders of a license to practice marriage and family therapy.
- 5100.2 Chapters 40 (Health Occupations: General Rules) and 41 (Health Occupations: Administrative Procedures) of this title shall supplement this chapter.

5101 TERM OF LICENSE

- 5101.1 Subject to § 5101.2, a license issued pursuant to this chapter shall expire at 12:00 midnight of December 31 of each even-numbered year.
- 5101.2 If the Director changes the renewal system pursuant to § 4006.3 of chapter 40 of this title, a license issued pursuant to this chapter shall expire at 12:00 midnight of the last day of the month of the birthdate of the holder of the license, or other date established by the Director.

5102 EDUCATIONAL REQUIREMENTS

- 5102.1 An applicant shall furnish proof satisfactory to the Board in accordance with § 831(a) of the Act, (D.C. Official Code § 3-1208.31(a) (2004 Supp.)) that the applicant has successfully completed a master's degree or a doctoral degree in marriage and family therapy from a recognized educational institution, or a graduate degree in an allied field from a recognized educational institution and has successfully completed graduate level course work which is equivalent to a master's degree in marriage and family therapy, as determined by the Board.
- 5102.2 For the purposes of § 5102.1, qualifying degrees shall consist of:
 - (a) At least 60 semester hours or 90 quarter credits in marriage and family therapy from a program accredited by the Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE); or

A qualifying graduate degree shall include a minimum of thirty-nine (39) semester hours in the following areas:

- (a) A minimum of nine (9) semester hours of marriage and family studies which shall include:
 - (1) Theoretical foundations, history, philosophy, etiology and contemporary conceptual directions of marriage and family therapy or marriage and family counseling;
 - (2) Family systems theories and other relevant theories and their application in working with wide variety of family structures, including families in transition, nontraditional families and blended families, and a diverse range of presenting issues; and
 - (3) Preventative approaches, including premarital counseling, parent skill training and relationship enhancement, for working with couples, families, individuals, subsystems and other systems;
- (b) A minimum of nine (9) semester hours of marriage and family therapy which shall include:
 - (1) The practice of marriage and family therapy related to theory, and a comprehensive survey and substantive understanding of the major models of marriage and family therapy or marriage and family counseling; and
 - (2) Interviewing and assessment skills for working with couples, families, individuals, subsystems and other systems, and skills in the appropriate implementation of systematic interventions across a variety of presenting clinical issues, including socioeconomic disadvantage, abuse and addiction;
- (c) A minimum of nine (9) semester hours of human development which shall include:
 - (1) individual development and transitions across the life span;
 - (2) Family, marital and couple life cycle development and family relationships, family of origin and intergenerational influences, cultural influences, ethnicity, race, socioeconomic status, religious beliefs, gender, sexual orientation, social and equity issues, and disability;
 - (3) Human sexual development, function and dysfunction, impacts on individuals, couples, and families, and strategies for intervention and resolution; and

- (4) Issues of violence, abuse, and substance use in a relational context, and strategies for intervention and resolution;
- (d) A minimum of six (6) semester hours of psychological and mental health competency which shall include:
 - (1) Psychopathology, including etiology, assessment, evaluation, and treatment of mental disorders, use of the current diagnostic and statistical manual of mental disorders, differential diagnosis, and multi-axial diagnosis;
 - (2) Standard mental health diagnostic assessment methods and instruments, including standardized tests; and
 - (3) Psychotropic medications and the role of referral to and cooperation with other mental health practitioners in treatment planning, and case management skills for working with individuals, couples, and families;
- (e) A minimum of three (3) semester hours of professional ethics and identity which shall include:
 - (1) Professional identity, including professional socialization, professional organizations, training standards, credentialing bodies, licensure, certification, practice settings, and collaboration with other disciplines;
 - (2) Ethical and legal issues related to the practice of marriage and family therapy, legal responsibilities of marriage and family therapy and marriage and family counseling practice and research, business aspects, reimbursement, record keeping, family law, confidentiality issues, and the relevant code of ethics, including the code of ethics specified by the Board; and
 - (3) The interface between therapist responsibility and the professional, social, and political context of treatment; and
- (f) A minimum of three (3) semester hours of research which shall include:
 - (1) Research in marriage and family therapy or marriage and family counseling and its

application to working with couples and families; and

- (2) Research methodology, quantitative and qualitative methods, statistics, data analysis, ethics, and legal considerations of conducting research, and evaluation of research.

5103 EXPERIENTIAL REQUIREMENTS

- 5103.1 An applicant shall furnish proof satisfactory to the Board that the applicant has completed a minimum of two (2) years of post-graduate work, within five (5) years of graduation, consisting of supervised clinical work experience in marriage and family therapy and supervision following completion of the first qualifying graduate degree and practicum required as part of the course of study.
- 5103.2 Unless “good cause” is shown, the post-graduate work shall be completed
- (a) within five (5) years commencing the day after the day the first qualifying degree was conferred and the practicum completed.
- 5103.3 Pursuant to § 5103.1, supervision shall be provided by supervisors approved by the American Association for Marriage and Family Therapy (AAMFT) or by the Board.
- 5103.4 A supervisor shall be responsible for all supervised practice by a supervisee during the period of supervision and shall be subject to disciplinary action for any violation of the Act or this chapter by the supervisee.
- 5103.5 In addition to satisfying the requirements of §§ 5103.1 and 5103.2 an applicant shall document successful completion of the following:
- (a) A minimum of fifteen hundred (1,500) hours of face-to-face contact with couples, families and individuals for the purpose of assessment and intervention; and
 - (b) A minimum of three hundred (300) hours of supervision of marriage and family therapy, with at least one hundred (100) hours being individual supervision. The remaining hours may be group supervision.
- 5103.6 An applicant who has practiced marriage and family therapy for a period of at least five (5) years prior to the date of submission of the application in a jurisdiction that does not require licensure shall not be required to be supervised pursuant to §§ 5103.1, 5103.2, 5103.3, and 5103.4

5104 APPLICANTS EDUCATED IN FOREIGN COUNTRIES

- 5104.1 The Board may grant a license to practice marriage and family therapy to an applicant who completed an educational program in an educational institution in a foreign country, which is not accredited by COAMFTE if the applicant meets the following requirements:
- (a) Meets all requirements of this chapter except for § 5102.1; and

- b) Demonstrates to the satisfaction of the Board that the applicant's education and training are substantially equivalent to the requirements of this subtitle and the Act in ensuring that the applicant is qualified to practice marriage and family therapy required by § 5104.2.

5104.2 An applicant under this section shall, in lieu of meeting the requirements of § 5102.1, submit with the application a certification from a private education evaluation service approved by the Board that the applicant's foreign education is substantially equivalent to the education provided in an accredited program.

5104.3 The Board may interview an applicant under this section to determine whether the applicant's education or training meets the requirements of the Act and this chapter.

5104.4 If a document required by this chapter is in a language other than English, the applicant shall arrange for its translation into English by a translation service acceptable to the Board and shall submit a translation signed by the translator attesting to its accuracy.

5105 NATIONAL EXAMINATION

5105.1 To qualify for a license by examination, an applicant shall, in addition to meeting the requirements of § 5102 and § 5103, receive a passing score, as determined by the Board, on the standardized examination sponsored by the Association of Marital and Family Therapy Regulatory Boards.

5106 CONTINUING EDUCATION REQUIREMENTS

5106.1 This section shall apply to applicants for the renewal, reactivation, and reinstatement of a license for the term expiring December 31, 2006 and for subsequent terms.

5106.2 This section shall not apply to applicants for an initial license by reciprocity or endorsement.

5106.3 Continuing education credit shall be granted only for programs or activities approved by the Board in accordance with § 5107.

5106.4 An applicant for renewal of a license to practice marriage and family therapy shall submit proof of having completed thirty (30) hours of approved continuing education during the two-year (2) period preceding the date the license expires. No less than fifteen (15) of the thirty (30) hours shall be completed in the physical presence of the approved sponsor. Six (6) hours of the thirty (30) hours shall be in ethics and the remaining twenty-four (24) hours may consist of current and emerging issues in marriage and family therapy such as:

- (a) Non-Traditional Families;

- (b) Domestic Violence;

- (c) HIV;

- (d) Aging;

- (e) End of Life Issues;

(f) Addiction and Psychopharmacology; or

(g) Trauma.

- 5106.5 To qualify for a license, a person in inactive status within the meaning of § 511 of the Act, (D.C. Official Code § 3-1205.11 (2001)), who submits an application to reactivate a license shall submit proof pursuant to § 5107.1 of having met the continuing education requirements for each licensing period that the license was in inactive status.
- 5106.6 To qualify for a license, an applicant for reinstatement of a license to practice marriage and family therapy pursuant to § 512 of the Act (D.C. Official Code § 3-1205.12 (2001)) shall submit proof pursuant to § 5107.7 of having completed fifteen (15) hours of credit in an approved continuing education program for each year after March 2, 2004 that the applicant was not licensed, up to a maximum of seventy-five (75) hours.
- 5106.7 An applicant for license renewal, reactivation, or reinstatement under this section shall prove completion of required continuing education credits by submitting with the application the following information with respect to each program:
- (a) The name and address of the sponsor of the program;
 - (b) The name of the program, its location, a description of the subject matter covered, and the names of the instructors;
 - (c) The dates on which the applicant attended the program;
 - (d) The hours of credit claimed; and
 - (e) Verification by the sponsor of completion, by signature or stamp.
- 5106.8 An applicant for renewal of a license who fails to submit proof of having completed continuing education requirements by the date the license expires may renew the license up to sixty (60) days after expiration by submitting the proof pursuant to § 5106.7 and by paying the required additional late fee.
- 5106.9 Upon submitting proof and paying the late fee, the applicant shall be deemed to have possessed a valid license during the period between the expiration of the license and the submission of the required documentation and payment of the late fee.
- 5106.10 If an applicant for renewal of a license fails to submit proof of completion of continuing education requirements or pay the late fee within sixty (60) days after the expiration of the applicant's license, the license shall be deemed to have lapsed on the date of expiration.
- 5106.11 The Board may, in its discretion, grant an extension of the sixty (60) day period to renew after expiration if the applicant's failure to submit proof of completion was for good cause.

5107 **APPROVED CONTINUING EDUCATION PROGRAMS
AND ACTIVITIES**

5107.1 The Board may, in its discretion, approve continuing education programs and activities that contribute to the growth of an applicant in professional competence in the practice of marriage and family therapy and that meet the other requirements of this section.

5107.2 The Board may approve the following types of continuing education if the programs or activity meets the requirement of § 5107.1:

- (a) An undergraduate or graduate course given at an accredited college or university;
- (b) A seminar or workshop;
- (c) An educational program given at a conference;
- (d) Engaging in instructional hours while serving as an instructor or speaker at an institution of higher learning, conference, seminar, workshop, or in-service training;
- (e) Professional writing, excluding reprints or republications of previously published materials, published within the two (2) years prior to the license renewal date, which results in the publication of articles or books and which meets the following requirements:
 - (1) Journal articles shall be published in professional journals; and
 - (2) Chapters authored in books acceptable under this section.
- (f) Participation in research as a principal investigator or research assistant; and
- (g) Informal study or a home study program (documented by title, author, name of topic, time spent, written summary, and date(s) completed) carried out individually that is approved by the Board.

5107.3 A continuing education program shall meet all of the following requirements:

- (a) Be current in its subject matter and taught by qualified individuals;
- (b) Be approved by the Board; or
- (c) Meet one of the following requirements:
 - (1) Be administered or approved by a health care organization; accredited health care facility, or accredited college or university; or

- (2) Be submitted by the program sponsors to the Board for review no less than sixty (60) days prior to the date of the presentation and be approved by the Board.

5107.4 The Board may issue and update a list of approved continuing education programs or providers.

5108 UNAPPROVED CONTINUING EDUCATION PROGRAMS AND ACTIVITIES

5108.1 Continuing education credit shall not be granted for the following:

- (a) Organizational activity such as serving on committees or councils or as an officer in a professional organization;
- (b) Meetings or activities such as in-service programs which are required as part of one's job; and
- (c) Continuing education activity completed before the two (2) year period for which the continuing education credit is submitted.

5109 CONTINUING EDUCATION CREDITS

5109.1 Professional research and writing conducted pursuant to § 5107.2(f) shall account for a total of no more than ten (10) of the thirty (30) continuing education units required.

5110 LICENSURE BY ENDORSEMENT

5110.1 The Board shall issue a license to a marriage and family therapist who has a valid unrestricted license from another jurisdiction of the United States or Canada if:

- (a) That person, when granted the license met all requirements contained in § 5102.1 through § 5104.4 and any applicable Board rules; or
- (b) The requirements of the other jurisdiction are, at the time of the application, substantially equivalent to the requirements of this chapter.

5111 PRACTICE OF MARRIAGE AND FAMILY THERAPY BY UNLICENSED MARRIAGE AND FAMILY THERAPISTS

5111.1 An unlicensed marriage and family therapist may practice marriage and family therapy in accordance with this section only under general or immediate supervision.

5111.2 An unlicensed marriage and family therapist shall be subject to disciplinary action for any violation of the Act or this chapter. The Board may deny an application for a license by a supervisee who is found to have violated the Act or this chapter, in accordance with chapter 41 of this title.

5111.3 An unlicensed marriage and family therapist shall identify himself or herself as such at all times when practicing marriage and family therapy.

5111.4 An unlicensed marriage and family therapist shall not receive compensation of any nature, directly or indirectly from a client, except for a salary based on hours worked under supervision.

5112 STANDARDS OF CONDUCT

5112.1 Any holder of a license under this chapter or any person authorized to practice marriage and family therapy under this chapter shall comply with the standards of ethical and professional conduct established by the AAMF Therapy as they may be amended or republished from time to time.

5112.2 A marriage and family therapist shall provide an informed consent form, signed by both parties, which shall notify the client of his or her rights and the risks involved during the therapy.

5112.3 The following documentation shall be maintained for each session:

- (a) Person or persons present;
- (b) Date of the session;
- (c) Times the session began and ended;
- (d) Issues presented (including assessment and history as appropriate);
- (e) Risks presented; and
- (f) Risks assessed.

5199 DEFINITIONS

5199.1 As used in this chapter, the following terms shall have the meanings ascribed:

Applicant – a person applying for a license to practice marriage and family therapy under this chapter.

Board – the Board of Marriage and Family Therapy, established by section 217 of the Act, as amended by the Marriage and Family Therapy Amendment Act of 2003, effective March 10, 2004 (D.C. Law 15-88; D.C. Official Code § 3-1202.17).

Contact hours – the amount of time spent with the client(s) in therapy.

General supervision – supervision in which an approved marriage and family therapist is available to the supervisee either in person or by a communications device.

Good cause – a legally sufficient reason for granting an extension because of:

- (a) Serious or protracted illness of the applicant;
- (b) The death or serious and protracted illness of a member of the applicant's immediate family; or

- (c) Deployment in a combat zone by the military whenever the United States is engaged in active military operations against any foreign power.

Group supervision – one supervisor meeting with three to six supervisees.

Immediate supervision – face-to-face supervision in which an approved marriage and family therapist, psychologist, psychiatrist, licensed independent clinical social worker, licensed professional counselor, or advanced practice nurse is either discussing or observing the supervisee's practice.

Individual supervision – one supervisor meeting with one or two supervisees.

Instructional hours – the amount of time spent in actual presentation excluding preparation hours.

Marriage and family therapist – a person licensed to practice marriage and family therapy under the Act.

Unlicensed marriage and family therapist – a person who has completed the educational requirements for a degree in marriage and family therapy but has not met the clinical requirements for licensure.